



## TEXAS DEPARTMENT OF STATE HEALTH SERVICES

DAVID L. LAKEY, M.D.  
COMMISSIONER

March 12, 2010

### REPORT/PUBLICATION CLEARANCE REQUEST

#### MEMORANDUM FOR THE COMMISSIONER

THROUGH: Tommy Boukhris, Point of Contact  
Executive Communications and Correspondence

FROM: Mike Maples, Assistant Commissioner  
Division for Mental Health and Substance Abuse Services

SUBJECT: Annual Report on Electroconvulsive Therapy

#### **Purpose**

To request your approval of the annual Electroconvulsive Therapy (ECT) report, and your signature on the cover letters to the Governor, Lieutenant Governor, and Speaker of the House.

#### **Background**

Pursuant to Texas Health and Safety Code, Title 7, Subtitle C, Chapter 578, the Department of State Health Services (DSHS) is required to collect, analyze, and report data relating to the use of ECT. In order to facilitate this process, Texas hospitals that administer ECT provide, on a quarterly basis, information regarding the patient, number of treatments, and type of equipment used to administer ECT.

The ECT Database Coordinator in the Decision Support Unit of the Division for Mental Health and Substance Abuse Services (MHSA) maintains this information, and summary reports are submitted annually to the Governor and members of the legislature. Since the law became effective in December 1993 the report has been submitted annually. These reports are also published on the internet, at the following website address:

**<http://www.dshs.state.tx.us/mhquality/ECTReports.shtm>**

According to the above-mentioned statute, the report is due annually to the Governor, Lt. Governor and Speaker. The enabling legislation, SB 205 (73<sup>rd</sup>), required the initial report to be submitted on February 15, so this date has also been used for subsequent submissions.

### **Summary**

- In July 2009, a memo (Attachment 2) was sent to active facilities to reflect the address change of the new Medical Director for Behavioral Health, Emilie A. Becker, M.D. on the reporting form "Exhibit C, Report of ECT and Other Therapies," (Attachment 3), and on, "Exhibit D, Application for Registration of ECT Equipment." (Attachment 4). The reporting form was also revised to update language and streamline reporting. The new forms were also published on the ECT website.
- On the chart (Attachment 5), "ECT Treatments Reported FY 2004-FY 2009," there is a distinct increase in the number of treatments administered in fiscal year (FY) 2009. However, the average number of treatments administered per report stayed relatively the same: FY 2009 5.98 and FY 2008 5.78.
- A cover page has been added to the "FY2009 Annual ECT Summary (All Facilities)," (Attachment 6), citing the Health and Safety Code reporting requirements that are contained on each summary.
- The FY 2009 Annual and Quarterly, Comprehensive and Facility Summary Reports (Attachments 6 – 12) have been revised and include updated language and new data for "complete series of treatments administered," a reporting requirement listed on the cover page.
- There were two facilities that changed names in FY 2009: Presbyterian Hospital of Dallas is now Texas Health Presbyterian Hospital, Dallas, and Richardson Regional Medical Center is now Methodist Richardson Medical Center.
- A total of 19 Texas hospitals provided 1,918 patient reports during FY 2009 (This number may reflect patients who have received ECT in more than one quarter this year.)
- There were 83.7 percent White/Caucasian patients, 5.2 percent Black or African American patients, 9.2 percent Hispanic or Latino patients, and 1.9 percent Asian and American Indian patients.
- 66.8 percent of the patients reported were female, and 33.2 percent reported were male.

- There were 97.9 percent voluntary patients consenting to ECT treatments reported, and the remaining 2.1 percent reported were involuntary patients or guardians consenting to ECT.
- There were 18 reports of patients under 20 years of age, and 5 reports of patients 90+ years of age.
- There were 55.0 percent private 3rd party insurer as primary source of payment for ECT reported and 43.1 percent public 3rd party as primary source of payment for ECT reported.
- There were 40 reports (2.0 percent) reflecting memory loss within 14 days of ECT; because memory loss is a known and common side effect, discussion of this risk is required prior to obtaining consent for ECT in Texas.
- There were 2 reports of death within 14 days of ECT.
  - Zale Lipshy University Hospital, Dallas; March 9, 2009: The 53 year old female received 13 treatments during January and February 2009. She was on outpatient status during February, and decided to stop after the February 27, 2009, treatment. The facility became aware of the patient's suicide and acquired a copy of the autopsy report. The cause of death was determined to be heat exposure and hypoxia; the manner of death was determined to be suicide.
  - Terrell State Hospital; May 8, 2009: The 73 year old male had received 12 treatments during the reporting period, with the last treatment on May 6, 2009. The facility became aware of the patient's accidental death caused by taking too much of a sandwich in his mouth, choking, and expiring. There was no autopsy.
- Comparing the status of series treatments from FY 2008 and FY 2009, it is clear that series treatments and maintenance treatments are being reported exclusively. There is a distinct drop in total series treatment reports from 62.0 percent last year to 53.8 percent this fiscal year.

Status of Series Treatments	FY 2008 (1,760 total reports)	FY 2009 (1,918 total reports)
Ongoing	286	277
Concluded	593	582
Stopped	213	172
<b>Total Number of Series Reports</b>	1,092 or 62.0 percent	1,031 or 53.8 percent

The data also shows a sizeable drop in the number of stopped series reported, from 19.5 percent last year to 16.7 percent this year, the most common reason being “patient request.”

- Attachment 13 reflects 2010 ECT equipment registration and fees paid by active facilities.
- Attachment 14 provides a summary of all hospitals registered, all machines registered, and all fees paid each year from September 1993 to January 2010.

### Commissioner's Decision

Approve	<u>DLL 3/24/10</u>	Disapprove	<u>                    </u>
Modify	<u>                    </u>	Needs More Discussion	<u>                    </u>
Pend for Future Consideration			

- Attachment 1: Letters to the Governor, Lt. Governor, and Speaker of the House
- Attachment 2: Memo Regarding New Medical Director and Revised Forms
- Attachment 3: Revised Exhibit C, Report of ECT and Other Therapies
- Attachment 4: Revised Exhibit D, Application for Registration of ECT Equipment
- Attachment 5: ECT Treatments Reported FY2004-FY2009
- Attachment 6: FY2009 Annual ECT Summary (All Facilities) and Cover Page
- Attachment 7: FY2009 Quarterly ECT Summaries (All Facilities)
- Attachment 8: FY2009 Annual ECT Facility Summaries
- Attachment 9: FY2009 Quarterly ECT Facility Summaries (September-November)
- Attachment 10: FY2009 Quarterly ECT Facility Summaries (December-February)
- Attachment 11: FY2009 Quarterly ECT Facility Summaries (March-May)
- Attachment 12: FY2009 Quarterly ECT Facility Summaries (June-August)
- Attachment 13: 1994-2010 Complete Equipment Registration History
- Attachment 14: ECT Equipment Registration Summary